

AB:ADW

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

DENNIS JACKSON,

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

JASON LANDUSKY, being duly sworn, deposes and states that he is a Detective with the New York City Police Department, duly appointed according to law and acting as such.

On or about December 15, 2019, within the Eastern District of New York, the defendant DENNIS JACKSON, knowing that he had been previously convicted in a court of one or more crimes punishable by imprisonment for a term exceeding one year, did knowingly and intentionally possess in and affecting interstate or foreign commerce a firearm, to wit, a loaded KelTec P32 pistol.

(Title 18, United States Code, Section 922(g)(1))

FILED UNDER SEAL

AFFIDAVIT AND
COMPLAINT IN SUPPORT
OF AN APPLICATION FOR
AN ARREST WARRANT

Case No. 20-MJ-42

(18 U.S.C. § 922(g)(1))

The source of your deponent's information and the grounds for his belief are as follows:¹

1. I am a Detective with the New York City Police Department ("NYPD") and have been involved in the investigation of numerous cases involving the recovery of firearms and ammunition. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendant's criminal history record; and from reports of other law enforcement officers involved in the investigation. Where I describe the statements of others, I am doing so only in sum and substance and in part.

2. On or about December 15, 2019, at approximately 12:10 a.m., NYPD Officer-1 and Officer-2 (collectively, the "Officers")² were conducting a patrol on foot in plainclothes at the Metropolitan Transportation Authority ("MTA") subway station located at the intersection of Sutter Avenue and Junius Street in Brooklyn, New York.

3. Officer-1 observed an individual later identified as the defendant DENNIS JACKSON, without paying the required subway fare, pass through an open emergency exit door from the subway station mezzanine and towards the subway platform, in violation of New York Penal Law § 165.15(3), a class A misdemeanor.

¹ Because this affidavit is being submitted for the limited purpose of establishing probable cause to arrest, I have not set forth every fact learned during the course of this investigation.

² Because multiple law enforcement personnel were involved in the incident, I refer to the Officers as Officer-1 and Officer-2 for ease of reference. The identities of each of these individuals are known to the affiant, and I and/or another law enforcement officer have interviewed each of these individuals about the events set forth herein. In addition, I have reviewed body camera footage that corroborates the officers' account.

4. The Officers observed the defendant board the car of a subway train that was resting at the platform. The Officers followed the defendant onto the car, displayed their badges, announced themselves as police and commanded the defendant to exit the car. After initially refusing to exit the car, the defendant eventually stepped out back onto the platform with the Officers.

5. On the subway platform, after confirming the defendant's identity, the Officers arrested and handcuffed the defendant. Officer-1 then transported the defendant to an NYPD command stationhouse located at 2399 Fulton Street in Brooklyn, New York.

6. At the station house, Officer-1 searched the defendant and recovered a loaded .32 caliber KelTec P32 pistol from the defendant's inside left jacket pocket and a small quantity of a substance that later tested positive as containing marijuana from the defendant's right jacket pocket.

7. I have reviewed defendant's criminal history, which revealed that on or about January 24, 2012, DENNIS JACKSON was convicted of Criminal Sale of Controlled Substance in the Third Degree, in violation of New York Penal Law § 220.39, a class B felony. On February 3, 2012, JACKSON was sentenced to a sentence of 6 years' imprisonment for his conviction for Criminal Sale of Controlled Substance in the Third Degree.

8. I have conferred with a Nexus expert, a Special Agent of the Bureau of Alcohol, Tobacco, Firearms, and Explosives ("ATF"), who has informed me, in substance and in part, that the recovered firearm was manufactured outside the state of New York.

REQUEST FOR SEALING

9. It is respectfully requested that this Court issue an order sealing, until further order of the Court, all papers submitted in support of this application, including the application and arrest warrant, as disclosure would give the target of the investigation an opportunity to destroy evidence, harm or threaten witnesses, change patterns of behavior, notify confederates and flee from or evade prosecution and therefore have a significant and negative impact on the continuing investigation and may severely jeopardize its effectiveness

WHEREFORE, your deponent respectfully requests an arrest warrant for the defendant DENNIS JACKSON so that he may be dealt with according to law.



JASON LANDUSKY

Detective

New York City Police Department

Sworn to before me this
13th day of January, 2020

THE HONORABLE RAMON E. REYES, JR.
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK